

JUDGE MARRERO

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MUSKET CORPORATION,

Plaintiff,

- against -

PDVSA PETROLEO, S.A., a/k/a PDVSA
PETROLEO Y GAS, S.A., ADVANCED
ENGINEERING DEVELOPMENT LTD., and
INTRAKAM SA,

Defendants.

06 CV 15522

Civil Action No.

ORDER OF ATTACHMENT

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <i>12-28-06</i>
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Victor Marrero, U.S.D.J.

Plaintiff has moved the Court for an Order of Attachment pursuant to Rule 64 of the Federal Rules of Civil Procedure and Article 62 of the New York Civil Practice Law and Rules ("CPLR"). Plaintiff has shown that it have a cause of action, that it is probable that it will succeed on the merits, that one or more grounds for attachment exist (to wit, that the defendants are non-domiciliaries residing without the State of New York), and that the amount demanded from the defendants exceeds all counterclaims known to the plaintiff.

Therefore, for these reasons, as supported by the showings made in plaintiff's application for an order of attachment, including the Affidavit of Ravi Ramdas, sworn to on December 28, 2006, and the exhibits thereto, and the Declaration of John J. Reilly dated December 28, 2006, it is hereby ORDERED, that:

1. Plaintiff's motion for an order of attachment is granted.
2. The amount to be secured by this Order is Two Million Dollars (\$2,000,000.00).
3. The United States Marshal for the Southern District of New York, or any person appointed to act in his place and stead, shall levy within his jurisdiction upon such funds,

monies, property and/or interests in property of defendant PDVSA Petroleo, S.A., a/k/a PDVSA Petroleo y Gas, S.A., as are on deposit with, or held by, JPMorgan Chase Bank, N.A., as the proceeds of Letter of Credit No. CTCS-651908, and shall pay or deliver all such funds, monies, property and/or interests in property to the Clerk of this Court for the purpose of satisfying any judgment that may be obtained against the defendants in this action.

4. Upon plaintiff's application, and for good cause shown, the Court hereby appoints the following persons to act in the place and stead of the U.S. Marshal for the purpose of serving this Order and effecting the levy ordered hereby: Mr. Elvin Ramos of New York City and/or Mr. Rudy Green of New York City, both of whom are employed by counsel for plaintiff.

5. The statement required by CPLR § 6219 shall be served by the garnishee upon the U.S. Marshal within five (5) days after service of this Order, and a copy served on plaintiff's counsel.

6. Plaintiff shall post a bond in the amount of \$2,000,000 as security.

7. *This Order shall be effective only until January 4, 2007, on which date at 3:00 p.m. the Court shall hear arguments on this matter.*
SO ORDERED.



Victor Marrero, J.S.D.

Dated: New York, New York
December 28, 2006

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